IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

Bail Appl..No. 6827 of 2007(S)

(CRIME NO. 154/2007 OF CHENGANNUR EXCISE RANGE,NOW PENDING BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT -II, CHENGANNUR)

PETITIONER/ACCUSED NO.2

SATHEESH KUMAR, AGED 30 YEARS,
S/O SANTHOSHKUMAR, NILATHUMTHARAYIL VEEDU,
WARD NO.178, CHENGANNUR, CHENGANNUR TALUK.

BY ADV. SRI.AJITH MURALI

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No. 6827 of 2007

Dated this the 7th day of November 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 1.5 litres of arrack on 19/9/2007. He surrendered before the learned Magistrate on 26/10/2007 and continues in custody from that date. He has no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 09/11/2007. The investigating

officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007